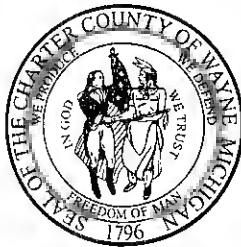


Wayne County Commission



Gary Woronchak
Chairman

Pamela Lane
Director

OFFICE OF POLICY RESEARCH & ANALYSIS

COMMITTEE MEMBERS

Ilona Varga, Chair
Glenn S. Anderson (VC)
Joe Barone
Terry Marecki
Joseph Palamara
Martha Scott
Jewel Ware

April 27, 2018

NOTICE OF MEETING

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

**Tuesday, May 1, 2018 – 10:00 a.m.
Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226**

Commissioner Ilona Varga, Chairwoman of the Committee on Government Operations, has scheduled a meeting of the Committee on Tuesday, May 1, 2018 at 10:00 a.m. in Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226 to consider the following:

- A. Roll Call
- B. Approval of the April 17, 2018 meeting minutes
- C. Unfinished Business
- D. New Business

1. Communication dated April 4, 2018 (received April 4th) from Cheryl V. Jordan, Deputy Corporation Counsel, forwarding a letter in regard to Resolution No. 2018-164, approving a contract with Zausmer, August & Caldwell, PC to extend the term of the contract to provide legal services in the Rouge Valley Sewage Disposal System negotiation matter, which directed Corporation Counsel to determine if the County incurred damages as a result of premature performance in violation of the Procurement Ordinance. (2018-40-114)

Note: This meeting is called in accordance with provisions of the "Open Meetings Act," Act No. 267, Public Acts of 1976.

The County of Wayne will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the Commission Office, 500 Griswold, Suite 800, Detroit, MI 48226. The phone number is (313) 224-6808. The fax number is (313) 224-7484.

500 GRISWOLD • SUITE 800 • DETROIT, MI 48226 • PHONE: (313) 224-6808 • FAX: (313) 224-7484
Individuals with disabilities requiring auxiliary aids or services should contact the Wayne County Commission by writing or calling to the address and number listed below or TD.



- E. Such other matters as may be properly submitted before the Committee
- F. Public Comments
- G. Adjournment

Respectfully submitted,
Joe Slezak, Legislative Research Analyst (224-7359)
Darcel Brown, Legislative Research Assistant (224-0848)

Note: 3 The County of Wayne will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the Commission meeting upon five days notice to the Clerk of the Commission. Individuals with disabilities requiring auxiliary aids or services should contact the Wayne County Commission by writing or calling to the address and number listed below or TDD (1-800-649-3777)

COMMITTEE ON GOVERNMENT OPERATIONS

May 1, 2018

B. Approval of the minutes of the April 17, 2018 meeting

MINUTES

COMMITTEE ON GOVERNMENT OPERATIONS

Tuesday, April 17, 2018 – 10:00 A.M.

Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226

A. Roll Call: 10:02 A.M.

Ilona Varga (Chair)	– Present
Glenn S. Anderson (VC)	– Present
Joe Barone	– Present
Terry Marecki	– Present
Joseph Palamara	– EDS (10:05)
Martha Scott	– Excused
Jewel Ware	– Present

B. Ware/Anderson **Approved.** The March 27, 2018 meeting minutes. Motion Carried.

C. Unfinished Business

1. Bell/Barone **Approved.** A retroactive, comparable-source contract with a one-year option to renew between the Charter County of Wayne and Eight Media, Inc. (of Detroit) not to exceed \$45,000 to provide website, graphic design and media services for the Office of the Wayne County Treasurer. (2018-75-006) Motion Carried.

D. New Business

1. Anderson/Palamara **Forwarded to Full Board to Receive and File.** Communication from Steve Mahlin, Director of the Department of Personnel/Human Resources, forwarding a report on all civil service positions, pursuant to Enrolled Ordinance, 2017-635, page 19, item 54. (2018-43-010) Motion Carried.

2. Anderson/Ware **Approved.** A grant agreement between the Charter County of Wayne and the State of Michigan, Department of Licensing and Regulatory Affairs in the amount of \$698,388 to provide funding for the 2018 Survey and Remonumentation Grant. (2018-78-014) Motion Carried.

3. Ware/Palamara **Approved.** A three-year software license, equipment acquisition and services contract with two, one-year options to renew between the Charter County of Wayne and Kofile Technologies, Inc. (of Dallas, TX) not to exceed \$1,086,308.25 to digitize tract books, store tract books and historical books, index the tract books, provide indexing software and install a server for the Register of Deeds Office. (2018-78-013) Motion Carried.

E. Such other matters as may be properly submitted before the Committee.

F. Public Comments

G. Adjournment Palamara/Varga

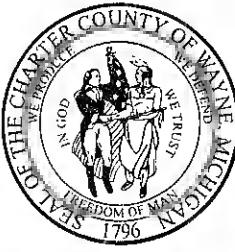
The Committee adjourned at 10:32 a.m.

Respectfully Submitted,

Darcel Brown
Legislative Research Assistant

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Wayne County Commission



Gary Woronchak
Chairman

Pamela Lane
Director

OFFICE OF POLICY RESEARCH & ANALYSIS

COMMITTEE MEMBERS

Ilona Varga, Chair
Glenn S. Anderson (VC)
Joe Barone
Terry Marecki
Joseph Palamara
Martha Scott
Jewel Ware

April 13, 2018

NOTICE OF MEETING

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

**Tuesday, April 17, 2018 – 10:00 a.m.
Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226**

Commissioner Ilona Varga, Chairwoman of the Committee on Government Operations, has scheduled a meeting of the Committee on Tuesday, April 17, 2018 at 10:00 a.m. in Hearing Room 704, Guardian Building, 500 Griswold, Detroit, MI 48226 to consider the following:

- A. Roll Call
- B. Approval of the March 27, 2018 meeting minutes
- C. Unfinished Business
1. Communication dated January 12, 2018 (received February 14th) requesting Commission approval of a retroactive, comparable-source contract with a one-year option to renew between the Charter County of Wayne and Eight Media, Inc. (of Detroit) not to exceed \$45,000 to provide website, graphic design and media services for the Office of the Wayne County Treasurer; the term of the contract is from October 2, 2017 through October 1, 2018; the cost of the contract will be charged to Account No. 101 25300 817000 (County Treasurer). (2018-75-006)

Note: This meeting is called in accordance with provisions of the "Open Meetings Act," Act No. 267, Public Acts of 1976.

The County of Wayne will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the Commission meeting upon five days notice to the Clerk of the Commission. Individuals with disabilities requiring auxiliary aids or services should contact the Wayne County Commission by writing or calling to the address and number listed below or TD.



Firm: Eight Media, Inc.
Address: 19 Clifford Street, 8th Floor, Detroit, MI 48226
Contact: Mohamed Abdallah (313) 492-5795

D. New Business

1. Communication dated March 21, 2018 (received March 24th) from Steve Mahlin, Director of the Department of Personnel/Human Resources, forwarding a report on all civil service positions, pursuant to Enrolled Ordinance, 2017-635, page 19, item 54. (2018-43-010)
2. Communication dated February 28, 2018 (received March 26th) requesting Commission approval of a grant agreement between the Charter County of Wayne and the State of Michigan, Department of Licensing and Regulatory Affairs in the amount of \$698,388 to provide funding for the 2018 Survey and Remonumentation Grant; the Office of the Register of Deeds advises that, since 1993, the Office has been involved in an ongoing project of survey and remonumentation of corners in Wayne County; the term of the grant agreement is from January 1, 2018 through December 31, 2018; the revenue from the grant will be deposited into Account No. 101 24500 569000 (R of D Remonumentation Grant). (2018-78-014)

E. Such other matters as may be properly submitted before the Committee

F. Public Comments

G. Adjournment

Respectfully submitted,
Joe Slezak, Legislative Research Analyst (224-7359)
Darcel Brown, Legislative Research Assistant (224-0848)

Note: 3 The County of Wayne will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the Commission meeting upon five days notice to the Clerk of the Commission. Individuals with disabilities requiring auxiliary aids or services should contact the Wayne County Commission by writing or calling to the address and number listed below or TDD (1-800-649-3777)

ADDENDA
COMMITTEE ON GOVERNMENT OPERATIONS

Tuesday, April 17, 2018

- D. New Business Continued
- 3. Communication dated March 7, 2018 (received April 16th) requesting Commission approval of a three-year software license, equipment acquisition and services contract with two, one-year options to renew between the Charter County of Wayne and Kofile Technologies, Inc. (of Dallas, TX) not to exceed \$1,086,308.25 to digitize tract books, store tract books and historical books, index the tract books, provide indexing software and install a server for the Register of Deeds Office; the term of the contract will commence upon Commission approval for three years; the cost of the contract will be charged to Account No. 101 23600 817000 (Register of Deeds). (2018-78-013)

Firm: Kofile Technologies, Inc.
Address: 6300 Cedar Springs Road, Dallas, TX 75235
Contact: John D. Woolf (214) 351-4800

COMMITTEE ON GOVERNMENT OPERATIONS

May 1, 2018

D.1.- Forwarding a letter in regard to Resolution No. 2018-164

(2018-40-114)

Wayne County Commission
April 4, 2018, 7:36 p.m.



Warren C. Evans
County Executive

April 4, 2018

Honorable Gary Woronchak
Wayne County Commission
500 Griswold, Ste. 8th Floor
Detroit, Michigan 48226

**RE: Whether Damages Resulted From the Retroactive Contract with
Zausmer, August & Caldwell, PC (CC#: 15-40-014-M2)**

Chairman Woronchak:

On March 22, 2018, the County Commission approved a retroactive, one-year contract with Zausmer, August & Caldwell, PC (of Farmington Hills) for the legal services in the matter of *Rouge Valley Sewage Disposal System Negotiation*. The approving Resolution 2018-164 directed Corporation Counsel “to determine if the County incurred damages as a result of premature performance in violation of [Section 120-50 of the procurement ordinance]; and if damages were incurred to institute a civil action pursuant to ordinance . . . and report to the Commission” within 90 days. We are providing this correspondence in response to the Commission’s request.

For purposes of this correspondence, we are assuming as true the key facts recited in Resolution 2018-164, i.e., the term of the modification is from January 20, 2018 through January 19, 2019, and that performance on this contract was performed prior to Commission approval on March 22, 2018. Also noted is that Section 120-50(a) prohibits payment or performance on a contract prior to Commission approval. Section 120-50(g) sets forth the penalty for violations:

To the extent provided by law, a person who violates this section shall be *personally liable for actual damages, costs, expenses and liability* of any kind, sustained, incurred or required to be paid by the county arising out of his, her, its violation of this section. The department of corporation counsel shall institute a civil action in the appropriate district court or in the Third Circuit Court against a person who violates this section to recover any actual damages, costs, expenses and liability of any kind on behalf of the county. Personal liability under this subsection shall not exceed \$500.00 per violation. [Emphasis added.]

Here, the County did not incur any actual damage, cost, expense, or liability due to the fact that Zausmer, August & Caldwell, PC performed on the contract prior to Commission approval of the

DEPARTMENT OF CORPORATION COUNSEL
500 Griswold, 30th Floor Detroit, Michigan 48226 (313) 224-5030
www.waynecounty.com

Honorable Gary Woronchak

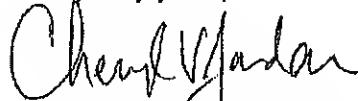
April 4, 2018

Page 2

contract. Zausmer, August & Caldwell, PC delivered the required service in competent fashion. The County accepted the service. Zausmer, August & Caldwell, PC did not receive payment on the modified contract prior to its approval. In other words, retroactivity notwithstanding, the County received the benefit of its bargain with Zausmer, August & Caldwell, PC.

As no damage was incurred, there are no grounds to pursue a civil action under Section 120-50(g).

Very truly yours,



CHERYL V. JORDAN
Deputy Corporation Counsel

cc: Felicia Johnson, Wayne County Commission Counsel

#317036